DOC # 00355007 Affidavits B: 0603 P: 0329 Jayrene B Nielsen Sevier County Recorder Page 1 of 9 07/01/2008 02:06:12 PMFee \$0.00By GOVENOR OF STATE OF

Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 116g Upper Redmond Lake Road; County Road Number: 6182; State Geographic Information Database (SGID) Road Identification Number: RD210055.

This document supplements and supports the information contained in the document first recorded at Doc # 00344649, Bk 0561, Beg Pg 0289, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352466 Bk 0591, Beg Pg 0516. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of ______, 200 8.

By the Governor's Designee

CERTIFICATION

State of Utah : SS County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg Salt Lake City, Utah 84114 COMMISSION EXPIRES Dated this 25th day of fewe, 2008.

Planela 3. Blackbar

Exhibit A

DOC # 00355007

Affidavits B: 0603 P: 0330

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AFFIDAVIT OF CHAD BEACH UPPER REDMOND LAKE ROAD SEVIER COUNTY, UTAH COUNTY ROAD NUMBER 6182

State of Utah) : ss.	DOC # 00355007 Affidavits B: 0603 P: 0331 Jayrene B Nielsen Sevier County Recorder Page 3 of 9 07/01/2008 02:06:12 PMFee \$0.00By GOVENOR OF STATE OF
County of Sevier		

CHAD BEACH, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Salina, Sevier County, Utah. I have lived in Sevier County for 61 years.
- 2. I have traveled and am familiar with a road in Sevier County known as the Upper Redmond Lake Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1950, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Upper Redmond Lake Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number
 listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1950 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including all kinds of vehicles and horses. Throughout this time period, the road has been used daily.
- 5. Throughout the time period from 1950 to 2006, I have used the road myself for the following uses: farming and hunting.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following

uses: Farming, hunting, fishing, camping, prospecting for minerals, livestock operations, oil and gas exploration, and bus travel.

- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1920's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I observed graders performing maintenance/construction activities on the road. The road is oiled at present.

DATED this 15 day of November, 2006.

CHAD BEACH

SUBSCRIBED AND SWORN to before me this ____day of November, 2006.

Notary Public
GLORIA SCHRADER
5110 State Office Bidg.
Sult Lake City. LT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

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6182 - UPPER REDMOND LAKE ROAD - RED Class "B" Maintained Roads - Blue 0 DOC # 00355007

Affidavits B: 0603 P: 0333

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SEVIER COUNTY RS2477 October 19, 2006

AFFIDAVIT OF PHIL BARNEY UPPER REDMOND LAKE ROAD SEVIER COUNTY, UTAH COUNTY ROAD NUMBER 6182

State of Utah) ; ss.	Affidavits B: 0603 P: 0334 Jayrene B Nielsen Sevier County Recorder Page 6 of 9 07/01/2008 02:06:12 PMFee \$0.00By GOVENOR OF STATE OF
County of Sevier)	

PHIL BARNEY, being first duly sworn, deposes and states as follows:

- 1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Salina City, Sevier County, Utah. I was born in Sevier County in 1942 leaving in 1967 for another work opportunity and returning to Sevier County in 1977. I have worked in law enforcement in Sevier County since 1977 and am presently the Sevier County Sheriff. Work related activities both for law enforcement and search and rescue has given me first hand knowledge of the majority of the roads in Sevier County.
- 2. I have traveled and am familiar with a road in Sevier County known as the Upper Redmond Lake Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1958, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Upper Redmond Lake Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1958 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including automobiles, pickups, horseback, ATVs, trailers, sheep wagons, seismic group work on several

occasions, semi-trucks and road construction vehicles. Throughout this time period, the road has been used daily.

- 5. Throughout the time period from 1958 to 2006, I have used the road myself for work related sheriff's activities and investigations, hauling hay and cattle and search and rescue.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: farming, fishing, water fowl hunting, small game hunting, lake activities such as picnicking and camping.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1860's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I observed culverts, signs and gravel on the road. The road is presently paved.

DATED this <u>/4</u> day of November, 2006.

Phil Barney
PHIL BARNEY

SUBSCRIBED AND SWORN to before me this 44 day of November, 2006.

NOTARY PUBLIC



6182 - UPPER REDMOND LAKE ROAD - RED $\,^{12}\!\!\!/\,^{16}\!\!\!/\,^{16}$ 7 DOC # 00355007

Affidavits B: 0603 P: 0336

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SEVIER COUNTY RS2477 October 19, 2006

Class "B" Maintained Roads - Blue

Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: 116g_Upper Redmond Lake Road

County: Sevier

County Road Number: 6182

State Geographic Information Database (SGID) Road Identification Number: RD210055.

Total Road Length: 2.19 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 59 minutes 54.28 seconds North Latitude and -111 degrees 54 minutes 36.95 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,523,814.2 feet and Y = 6,804,184.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 59 minutes 55.14 seconds North Latitude and -111 degrees 52 minutes 14.27 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,535,079.0 feet and Y = 6,804,221.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 21 South Range 1 West, Section(s) 9,10,11,12, Salt Lake Base & Meridian

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